

COUNTY OF YORK

MEMORANDUM

DATE: November 9, 2001 (BOS Mtg. 12/04/01)

TO: York County Board of Supervisors

FROM: James E. Barnett, County Attorney

SUBJECT: Dare Sewer/Water Project, Section 4

As with most utility projects, in the Dare sewer/water project, there are several easements we need to obtain for the project that for various reasons cannot be immediately obtained by voluntary conveyances. Fortunately, so as not to unduly hinder or prevent projects such as water or sewer that are designed to benefit an entire community, state law permits the Board, after the adoption of an ordinance or resolution following a public hearing, and the subsequent recordation of certificates of take, to enter upon and take the easements necessary for the project, prior to formal condemnation proceedings being initiated. The recordation of such a certificate binds the County to pay the owners at least the amounts set out in the Board's resolution. The figures reflected in the attached resolution are based on appraisals prepared by staff and reviewed by the County Assessor, and represent the most recent offers made for the easements.

In the Dare sewer/water project, the following have been identified as the remaining easements that need to be acquired:

Official Tax Map No. 25-488

Official Tax Map No. 25-432

Property of Mary F. B. Riley

Official Tax Map No. 25-448

Property of S. Wallace Dawson, Jr., Mary Lee Dawson Adams,

Virginia Dawson Sekula, and Arlene Dawson Pollard

Official Tax Map No. 25-35-G2

Property of Walter F. Presson

Official Tax Map No. 25-435

Official Tax Map No. 25-435A

Property of Estate of Alice Riley, Lettie R. Sgroi, Executrix

Board of Supervisors

November 9, 2001

Page Two

I have attached for your consideration a proposed resolution that will authorize the filing of certificates of take, and the entry onto the properties for the purpose of constructing the needed utilities thereon. The easements are shown on the plats, copies of which are also attached.

Barnett/3340:swb

Attachments: Plats, Resolution R01-211